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Defendant: **TERRANCE LAVONE EGERSON**

Case No.: 15-CF-001075

Proceeding: Sentencing Hearing

Date Held: April 28, 2016

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Submitted By: William J. Carpenter  
Court Reporter, Branch 47

**FILED**  
**CRIMINAL DIVISION**

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**CRIMINAL DIVISION**  
2016 JUN -7 PM 4:52  
CLERK OF CIRCUIT COURT



**ORIGINAL**

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH 36

MILWAUKEE COUNTY

STATE OF WISCONSIN,

Case No.: 15-CF-001075

PLAINTIFF,

vs.

TERRANCE LAVONE EGERSON,

DEFENDANT.

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SENTENCING HEARING

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April 28, 2016

PROCEEDINGS HELD BEFORE THE  
HONORABLE JEFFREY A. KREMERS  
COURT COMMISSIONER, PRESIDING

A P P E A R A N C E S:

MILWAUKEE COUNTY DISTRICT ATTORNEY'S  
OFFICE by Assistant District Attorney Nicolas J. Heitman,  
821 West State Street, 4th Floor, Room 405, Milwaukee,  
Wisconsin, 53233, appeared on behalf of the plaintiff.

GARY E. ROSENTHAL LAW OFFICE by  
Attorney Gary E. Rosenthal, 207 East Buffalo Street,  
Suite 606, Milwaukee, Wisconsin, 53202, appeared on  
behalf of the defendant.

TERRANCE LAVONE EGERSON, Defendant,  
appeared in person in custody.

William J. Carpenter  
Court Reporter

FILED  
CRIMINAL DIVISION  
2016 JUN -7 PM 4:52  
CLERK OF CIRCUIT COURT

1                                   **TRANSCRIPT OF PROCEEDINGS**

2                                   (Whereupon, the following proceedings  
3 commenced at 3:37 o'clock in the afternoon.)

4                                   THE COURT:   The State of Wisconsin  
5 versus Terrance Egerson, 15-CF-001075.

6                                   Appearances, please?

7                                   MR. HEITMAN:   Nick Heitman for the  
8 State.   Good afternoon.

9                                   MR. ROSENTHAL:   Gary Rosenthal  
10 appears with Mr. Egerson.

11                                   Mr. Egerson appears personally.

12                                   THE COURT:   Good afternoon.   We're  
13 here for sentencing.

14                                   The defendant was convicted of five  
15 counts of violating a domestic abuse injunction and  
16 one count of stalking as a result of a jury trial.

17                                   The first thing we need to do is to  
18 address the basis for the habitual criminality  
19 repeater and the domestic abuse repeater.   The  
20 domestic abuse repeater, I think, was actually taken  
21 care of by the jury verdicts.

22                                   But just to make sure that we're  
23 clear on this, Mr.   Rosenthal, does your client  
24 challenge the fact that he -- at all -- challenge  
25 the fact that he was convicted of a felony in the

1 last five years?

2 MR. ROSENTHAL: I do want to check.

3 (Whereupon, counsel confer  
4 privately.)

5 MR. HEITMAN: I've provided  
6 Mr. Rosenthal with the chance to review the  
7 certified transcript, Judge, from Mr. Egerson's  
8 sentencing from 2014, in November, indicating that  
9 he had been convicted of one count of felony bail  
10 jumping.

11 I'm going to ask to show that to the  
12 Court.

13 (Whereupon, the document is presented  
14 to the Court for review.)

15 THE COURT: So you're challenging the  
16 fact that he was convicted of a felony within the  
17 last five years?

18 MR. ROSENTHAL: That is correct, Your  
19 Honor.

20 THE COURT: That he's not  
21 challenging?

22 MR. ROSENTHAL: Not challenging.

23 THE COURT: Is that correct,  
24 Mr. Egerson?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: All right. And then also  
2 with respect to the domestic violence -- or domestic  
3 abuse repeater, even though I think that's been  
4 addressed, your client was -- your client also  
5 agrees that he was convicted of, at least on two  
6 separate occasions, a felony or a misdemeanor of  
7 domestic violence within the last ten years?

8 MR. ROSENTHAL: I believe that with  
9 judgments of conviction that Mr. Heitman has filed,  
10 it does show the DV surcharges or assessments for  
11 multiple offenses.

12 THE COURT: Okay. All right. So, I  
13 will enter judgments of conviction then for the six  
14 counts that we talked about, and each of the counts  
15 will reflect that they're as a habitual criminal and  
16 as a domestic abuse repeater;

17 Which, according to my calculations  
18 then, the defendant is facing a maximum possible  
19 penalty of four years and nine months on each of the  
20 five violation of a domestic abuse injunction cases  
21 and twelve years on the stalking charge.

22 MR. HEITMAN: Judge, I believe the  
23 jury verdicts that were rendered indicated they were  
24 not crimes of domestic abuse.

25 THE COURT: Well, one of them wasn't.

1 MR. ROSENTHAL: Two.

2 MR. HEITMAN: Two.

3 THE COURT: Two of them.

4 MR. HEITMAN: The first two counts of

5 violation of a domestic abuse injunction were not as

6 a DV repeater, Judge.

7 THE COURT: So those cases, there

8 would be a --

9 MR. HEITMAN: Two years.

10 THE COURT: Two years, just two

11 years.

12 MR. HEITMAN: Two years.

13 THE COURT: All right. So on two of

14 the counts, Counts -- I guess I will have to look at

15 the verdicts to make sure they're the right ones.

16 (Whereupon, the Court reviews the

17 file.)

18 THE COURT: Counts One and Three, the

19 rest of them were. So, Count One, the maximum

20 possible penalty is two years;

21 Count Two, the maximum possible

22 penalty is twelve years;

23 Count Three, two years; and

24 On the remaining three counts, four

25 years and nine months.

1 Is that correct, Mr. Heitman?

2 MR. HEITMAN: Yes.

3 THE COURT: Mr. Rosenthal, do you

4 agree with that?

5 MR. ROSENTHAL: Yes.

6 THE COURT: Okay. All right. I'll

7 hear first from the State and then from the Defense.

8 MR. HEITMAN: Judge, Ms. Egerson is

9 present and wishes to address the Court.

10 THE COURT: All right. She can.

11 (Whereupon, Ms. Alexandra Egerson

12 enters the courtroom and is seated at the State's

13 table.)

14 THE COURT: Your name, please?

15 MS. ALEXANDRA EGERTSON: Alex Egerson.

16 THE COURT: And what would you like

17 to tell me?

18 MS. ALEXANDRA EGERTSON: I have

19 thought long and hard about everything that I want

20 to say today. There is so much to say, but I found

21 the right words would not be easy to say.

22 Being married to Terrance was a

23 roller coaster. You never knew what you were going

24 to wake up to. One day you might have breakfast in

25 bed with roses upon the nightstand; another day, you

1        might wake up with him yelling at you, cussing you  
2        out, complaining about everything in the house.

3                Obviously, the good days had the  
4        potential to be great days, fantastic times. But on  
5        the other hand, those bad days that I've gone  
6        through, Terry has damaged me in a way that I'm not  
7        certain is repairable.

8                All of my physical injuries have  
9        healed. Those are the easy injuries. The real  
10       damage, the real damage, is the mental, the  
11       emotional.

12               I'm a person who is officially  
13       diagnosed with PTSD. I am doing my part to fix the  
14       damages, but it's not something that is easy to  
15       cure.

16               The talking and stalking, the  
17       consistent observation, the phone calls, the  
18       pop-ups, they're always in your thought process  
19       going forward, the uncertainty of who to talk to,  
20       the uncertainty of who to trust, who's relaying  
21       information to him. It's stressing.

22               I was fortunate enough that I found a  
23       circle, and I have added a few friends, and I keep  
24       being strong, keeping going.

25               Even though I have them, there was a



1 point that I had to ostracize myself for the sake of  
2 them. He was relentless.

3 He called my mom, my sisters, my  
4 cousins, my friends, my dad in the middle of the  
5 night, repeatedly.

6 He would show up at my father's  
7 house, at my mother's house, following me sometimes  
8 going to work, going to family's, called my  
9 landlord, called my boss, even called my mom's shop.

10 He was consistently monitoring me to  
11 a point where it was dangerous for them. It was  
12 unfair to them. I would be the one that he would  
13 harass on the phone. The relationship ended.

14 I had many days I felt guilty. All  
15 of this was happening because I was ending this, and  
16 they were associating with me, and I just wanted  
17 peace.

18 The whole ordeal of being married to  
19 him, leaving him, has definitely affected our  
20 lifestyle. Financially, I've had to adjust for  
21 caring for three small children on my income.

22 But now their responsibility is on me  
23 at all times. There are no breaks. I'm always on  
24 mommy mode. I go to work, take a break, leave them  
25 at nanny's, take calls from school, that's all on

1 me.

2                   Whatever they need is on me to make  
3 sure they get it. The mental, emotional damage from  
4 their father is something that I have to repair. I  
5 have to explain that to them. I have to help them  
6 through and watch them hurt.

7                   So I have to set aside my own hurt  
8 and constantly pick up their pieces, and make sure  
9 they can count on me. It has taken me three or four  
10 years, but we finally found it. They have found it  
11 in their new life, they were strong.

12                   There will always be a void because  
13 they don't have an active father, but I make sure  
14 they know that that was their father's choice, not  
15 any fault of theirs.

16                   It affects my older son the most, he  
17 remembers him. He remembers the good times, but he  
18 also remembers the bad times.

19                   He has been taking therapy to get his  
20 anger under control. Although he is not diagnosed  
21 with PTSD, the therapist has made it very clear that  
22 he definitely has all the symptoms.

23                   He's doing much better now, but it  
24 has taken almost three years of therapy to get him  
25 to the point where he's finally happy, and he's

1 finally on the threshold of finding his way.

2 With Terry being in prison, my  
3 children and I finally have had some peace. My life  
4 is somewhat relaxed. I'm not looking over my  
5 shoulder. My kids can go outside, and they can  
6 enjoying having a somewhat normal life.

7 Me having less stress, I can play  
8 with them more, and move into a new life and laugh  
9 and breathe. Now that this is finishing, I can let  
10 all of this settle. I can move forward with life.

11 I am doing everything in my power to  
12 get my kids disability and a solid foundation that  
13 they can live and have a happy childhood with less  
14 anger.

15 In my opinion, I think that Terry  
16 should get, at least, ten years in custody. I have  
17 already lost years of my life for fighting with him  
18 just to be left alone.

19 I don't want him in my life. My  
20 children, you know, will grow up fast. I want to be  
21 able to totally enjoy the time I have left with them  
22 being so small.

23 So in addition to the time in  
24 custody, I believe that a no-contact order should be  
25 part of any sentence, and it should include my

1 children. Otherwise, we will continue to have the  
2 battle of Terry using the kids to get to me.

3 I think it's only fair that we  
4 finally have some peace after dealing with all of  
5 this over the past five years. And the only way he  
6 can leave me alone is when he's in custody, and he's  
7 not allowed to speak with me.

8 THE COURT: How old are your  
9 children?

10 MS. ALICE EGERSON: They are five,  
11 six, and eight.

12 THE COURT: Thank you very much.  
13 Mr. Heitman.

14 MR. HEITMAN: Judge, I agree with  
15 much of what Ms. Egerson had to say. I think it's  
16 important to note that she indicated that the mental  
17 abuse that she has suffered at the hands of  
18 Mr. Egerson was more detrimental, in her words, than  
19 a lot of physical abuse.

20 And I think that's very important.  
21 Because in November of 2014, the last time  
22 Mr. Egerson was sentenced, that's exactly what  
23 Judge Flanagan said. And the Court could actually  
24 go to the sentencing transcript.

25 She indicated that, it says

1 Mr. Egerson indicates I never put a hand on her. I  
2 never touched her during this time period. But  
3 those cases, there's also the time period of the  
4 stalking case.

5 But he was -- He was told. It has a  
6 cost. The emotional and mental abuse has a cost,  
7 and it doesn't go without affecting Ms. Egerson.

8 And despite that, Judge, despite a  
9 very significant sentence being placed on  
10 Mr. Egerson at that point, despite the fact that a  
11 valid domestic abuse injunction was in place, it  
12 continued.

13 And that is very, very troubling.  
14 And I think, Judge, that is a huge pattern that we  
15 see here with the defendant. The Court can look at  
16 the Criminal Complaint in this case.

17 In 2011, he allegedly battered  
18 Ms. Egerson, and he pled guilty to a disorderly  
19 conduct. He then violated a no-contact order while  
20 out on bail in that case and was arrested inside of  
21 her home violation of court orders.

22 And then at some point, Judge, after  
23 being convicted of both of those offenses, a  
24 domestic abuse injunction is sought and received.  
25 He violates that continuously, as detailed in the

1 Criminal Complaint.

2 He is then placed in custody. While  
3 in custody, Judge, he makes those phone calls in  
4 violation of the domestic abuse injunction, and many  
5 of which, a lot of which, I believe are designed to  
6 attempt to dissuade Ms. Egerson from coming to  
7 court.

8 And whether or not he said those  
9 exact words, Judge, any time a person you share  
10 children with, in my opinion, calls you, after  
11 victimizing you, from custody, it's going to have  
12 that type of effect. It's saying I'm still here. I  
13 love you. It makes it difficult for the victim of a  
14 crime to follow through with the process.

15 Secondly, I don't know if it's  
16 secondly or thirdly, Judge, the defendant doesn't  
17 stop. Restrictions are placed on him. His phone  
18 privileges are taken away, then he violates that,  
19 Judge, by abusing the attorney-only phone,  
20 contacting Ms. Egerson.

21 And then, eventually, Judge, he  
22 pleads guilty to those offenses and is sentenced.  
23 While in prison, Judge, he writes these letters.  
24 Some of which --

25 And according to the jury, the first

1 two were not acts of domestic abuse; but, obviously,  
2 violations of an injunction that was in place, a  
3 court order that said --

4 And, again, after being sentenced,  
5 after being given, like, ten years for doing  
6 abusive -- for committing abusive conduct, he  
7 continues to violate court orders which is just to  
8 me really astounding, I guess.

9 And then the last gets clearly  
10 abusive where he writes and I -- the Criminal  
11 Complaint: The plot, the plot thickens. Lies,  
12 liars, words to that effect, Judge, clearly are  
13 going to have a significant impact on Ms. Egerson.

14 And then there's the conduct, I  
15 think, Judge, during the trial where Mr. Egerson  
16 takes the witness stand and tells this jury I did  
17 not write those letters. My cell mate wrote those  
18 letters. I believe he said without any input from  
19 me directing my cell mate to write those letters.  
20 He did it on his own after I told him any  
21 information he would have needed to know to put in  
22 those letters.

23 I think that, again, is just  
24 astounding and almost like not just denying it, but  
25 being in denial.

1                   And then, Judge, I asked Investigator  
2                   Linden, who testified in this case, to monitor  
3                   Mr. Egerson's jail calls while he was here for this  
4                   current trial.

5                   And, Judge, on, I believe  
6                   May 31 -- or March 31, Judge -- I think we had a  
7                   Monday trial -- that following Monday, Mr. Egerson  
8                   makes a phone call to somebody. It's his pin. It's  
9                   his voice which -- and I forwarded this to Defense  
10                  Counsel -- basically tells that person to get in  
11                  touch with Ms. Egerson and telling her to drop it.  
12                  Let me go. Leave it alone.

13                  And I just couldn't -- Obviously, I  
14                  could believe it, Judge, because of the history.  
15                  But she had come -- She had participated in the last  
16                  proceeding, and then we hear this phone call where  
17                  he says tell her to -- asking her nine years, it's  
18                  words to that effect, and tell her just to drop it.

19                  And it was just, in my opinion again,  
20                  a clear attempt to dissuade Ms. Egerson from  
21                  participating in the process.

22                  And, again, it's not going to be a  
23                  criminal charge, Judge. I am asking the Court to  
24                  consider that. I forwarded the call to  
25                  Mr. Rosenthal. I'm not going to play it for the



1 Court. It is about thirty seconds.

2 But I think it's just another, just  
3 completely, ridiculous. And I think it's the best  
4 adjective, Judge, but the rules don't apply to  
5 Mr. Egerson at all no matter what.

6 But I think his character, Judge --  
7 The three things the Court considers: Gravity of  
8 the offense, character, and the need to protect the  
9 public -- I think there is a need to protect  
10 Ms. Egerson significantly from mental abuse,  
11 physical abuse.

12 I think there -- The gravity of the  
13 specific offenses before the Court, the stalking is  
14 certainly significant. It's for years. And I know  
15 the period between some of these events, Judge, like  
16 Ms. Egerson said, they -- There were happy times  
17 probably between 2011 and today's date, great times.

18 There's no doubt in my mind that  
19 that's a hundred percent true, but the abuse  
20 continued anyway. So, the stalking is, obviously,  
21 the most significant of these offenses.

22 The letters, all very harmful, I  
23 think mentally, especially the last three. I think  
24 the most significant thing is that that's the  
25 continued violation of court orders, Judge, that

1           were in place.

2                       Which I think brings us to  
3           Mr. Egerson's character which is, the Court can look  
4           at his criminal convictions. He now has six, eight,  
5           plus six -- I believe nineteen domestic abuse  
6           convictions since 2011, something like that.

7                       There's maybe not nineteen. Excuse  
8           me. Six here, six in the last, that's twelve. And  
9           then two from 2011. So fourteen -- Excuse me --  
10          fourteen criminal convictions since 2011, not all  
11          with a domestic abuse surcharge, but all stemming  
12          from incidents of domestic abuse.

13                      So what I'm going to ask the Court to  
14          do is on each of the violations of a domestic abuse  
15          injunction, one in, one out, consecutive to each  
16          other, but concurrent to the sentence that he's  
17          currently serving.

18                      The reason I say that, Judge, is that  
19          I'm going to ask the Court to impose a no-contact  
20          order during the period of in custody.

21                      There is a question of whether there  
22          was a no-contact order in place during his current  
23          sentence that he's currently serving, and I want to  
24          make sure, Judge, that if he violates the contact,  
25          not only is he going to be violating the domestic

1 abuse injunction that's in place, but this Court has  
2 an order in place from this case that says  
3 Mr. Egerson can't contact Ms. Egerson.

4 So not only is he violating the  
5 injunction, he's going to be violating the court  
6 order from this sentence while he's in custody.

7 So one in, one out on each of those,  
8 consecutive to each other, but concurrent to the  
9 sentence he's currently serving.

10 And then I think that the Court can  
11 do four and four on the stalking, consecutive to all  
12 other sentences.

13 So I think that would be nine in,  
14 nine out, with the first five in, five out being  
15 concurrent.

16 I think that's an appropriate  
17 sentence. I think it takes the facts into  
18 consideration, the gravity of this particular  
19 offense, like I said, the need to protect the  
20 public, but most of all, the very significant  
21 character that Mr. Egerson has shown, or lack  
22 thereof, I guess, over this period of time, Judge.  
23 Thank you.

24 Oh, with, and, obviously, with those  
25 conditions that he have absolutely no contact with

1 Ms. Egerson. I believe she doesn't want him to have  
2 contact with the children either.

3 I don't know if the Court can order  
4 that, but I certainly believe as long as the  
5 children are in Ms. Egerson's custody, any contact  
6 directed at her, her residence would be in violation  
7 of that order.

8 So I think, hopefully, if the Court  
9 does follow my recommendation and puts that order in  
10 place, that would take care of that issue, Judge.

11 THE COURT: Mr. Rosenthal.

12 MR. ROSENTHAL: Your Honor, I will  
13 advise the Court that Mr. Egerson has family members  
14 in the courtroom, and they have asked to address the  
15 Court.

16 I explained to them that the Court  
17 could indicate that if they wanted to address the  
18 Court, it should be done by a letter to the Court  
19 filed prior to today.

20 Mr. Egerson's mother has done that  
21 and --

22 THE COURT: I've seen her letter and  
23 read it. I've seen the letter from Mr. Egerson as  
24 well and read that.

25 MR. ROSENTHAL: I am asking, though,

1           that the Court can allow a very brief statement from  
2           family members who were not in communication with my  
3           office. I have not received any notice of them  
4           being here. They have a desire to make a statement  
5           to the Court, and I think they can be restricted to  
6           a brief two minutes from each of them.

7                       THE COURT: All right.

8                       (Whereupon, Mr. Cornelius Robinson  
9           enters the courtroom.)

10                      THE COURT: Your name, please.

11                      MR. CORNELIUS ROBINSON: Cornelius  
12           Robinson.

13                      THE COURT: Can you spell the first  
14           name?

15                      MR. CORNELIUS ROBINSON:  
16           C-O-R-N-E-L-I-U-S.

17                      THE COURT: And the last name?

18                      MR. CORNELIUS ROBINSON:  
19           R-O-B-I-N-S-O-N.

20                      THE COURT: What would you like to  
21           tell me, Mr. Robinson?

22                      MR. CORNELIUS ROBINSON: Well, Your  
23           Honor, I'm a good friend of Terry Egerson. I've  
24           known him for forty years now. We went to high  
25           school together.

1                   He's a good person, a God-fearing man  
2                   who loves his kids dearly. I remember him -- I  
3                   recall Terry getting out of jail about twenty years  
4                   ago and totally turn his life around.

5                   I told him -- He's got a record.  
6                   I've never seen nobody -- I have never seen a  
7                   felon -- get out of jail and then in time make about  
8                   a hundred thousand dollars a year.

9                   I have seen him provide for his kids.  
10                  I have seen him move on, move his wife and kids into  
11                  a new construction house that was well over  
12                  \$260,000.

13                  And, you know, one of his biggest  
14                  downfalls sometimes is just, you know, he's a little  
15                  hardheaded. He loves his kids. And I told him, no  
16                  contact is no contact. I realize that.

17                  But I don't -- You know, it just, you  
18                  know, I think it doesn't seem to fit the crime. I  
19                  mean, liking the kids, to lock him up, it just don't  
20                  seem right.

21                  I recall on many occasions when I  
22                  would go by his house and him and -- he and his wife  
23                  sitting on the couch watching TV. And I would say  
24                  to him: What is she doing here? I mean, there's a  
25                  no-contact order. What's going on?

1                   It just seemed like it was -- I mean,  
2                   if it was somebody who has been traumatized and  
3                   going through all of this, why would she go over  
4                   there? He's not over there seeing her. Why would  
5                   she be over here in your place, in your house?

6                   And I would tell him this over and  
7                   over again, this is going to bite you in the butt.  
8                   But it just seemed like it was, you know, convenient  
9                   for her to spend time with him.

10                  To be there with him, it was okay.  
11                  But if it was an argument or something like that, it  
12                  was -- She was over there on the side. But I would  
13                  remind him of that over and over again that this is  
14                  going to bite you in the butt.

15                  But for someone to be that  
16                  traumatized and -- I mean, this guy has went through  
17                  a lot in the last couple of weeks. His son, his  
18                  first child, just died two weeks ago. He was  
19                  cremated.

20                  He lost his house. He's been in  
21                  jail. He lost his family. This guy has gone  
22                  through so much. And now, I sit here and hear his  
23                  wife say that she don't even want the kids to see  
24                  him.

25                  The kids have a grandmother sitting

1 right over here, what about her seeing them? It  
2 doesn't make any sense to me.

3 So I just wanted to -- That's all I  
4 wanted to add, Your Honor.

5 THE COURT: All right. Thank you.

6 (Whereupon, Mr. Cornelius Robinson  
7 leaves the courtroom and Mr. Delbert Toles enters.)

8 THE COURT: State your name please.

9 MR. DELBERT TOLES: Delbert Toles.

10 THE COURT: Spell the first name.

11 MR. DELBERT TOLES: D-E-L-B-E-R-T;  
12 last name, T-O-L-E-S.

13 THE COURT: What would you like to  
14 tell me, Mr. Toles?

15 MR. DELBERT TOLES: I'm a cousin of  
16 Terry. I've been knowing him all his life.  
17 Terry -- Terry has been through some drama early on  
18 in life, and some of this behavior probably stems  
19 from that.

20 He witnessed his father being killed  
21 due to domestic violence. And this probably has had  
22 a long-lasting effect on him.

23 Like Cornelius said, Terry is a good  
24 person. But, as you know, these moments of his, his  
25 wife still do come by and see him after the



1       restraining order, but they do it at their  
2       convenience.

3               And if it's convenient for them,  
4       there's no restraining order out; but if it's not,  
5       they call the police. And this, I'm sure, has a lot  
6       of mental effect on a person. You don't know, are  
7       you good with this person, or are you not.

8               And this -- This is a pattern that's  
9       been going on for quite some time. And I'm -- I  
10      didn't expect to see that. But I think being  
11      traumatized early on, and then traumatized by his  
12      woman, and then telling him that he can't see his  
13      kids, or the no-contact order with the kids, it's  
14      one thing to say not to see his wife, but to take  
15      his children away from him, not to see his children,  
16      I don't think he harmed, never harmed his kids.

17              By and large, Terry is good person,  
18      not a violent person. Not a person that deserves  
19      those many years in jail. I've seen people who did  
20      a lot worse and sit in jail a lot less. But sitting  
21      in jail that long seems unfair.

22              THE COURT: Okay. Thank you. All  
23      right. Mr. Rosenthal.

24              MR. ROSENTHAL: Thank you very much.  
25      Your Honor, as many cases that we've seen in DV

1 court, as many cases as Mr. Heitman and I have seen  
2 in DV court, Mr. Egerson doesn't present himself,  
3 represent himself, as the typical defendant that  
4 comes into your court.

5 There are no acts of physical  
6 violence that are before the Court in these matters.  
7 There are allegations of the emotional costs,  
8 emotional abuse.

9 And I'm not trying to limit or  
10 indicate that that isn't something of significant  
11 consideration to the Court, I'm not trying to  
12 indicate to the Court that that isn't something that  
13 the jury has spoken to.

14 A jury has made its findings, there  
15 have been convictions, and Mr. Egerson has to be  
16 punished for them. But I think the Court needs to  
17 look at the nature of the contacts and  
18 communications between Mr. Egerson and Ms. Egerson.

19 The other difference I've  
20 seen -- We've spoken briefly -- that Mr. Egerson  
21 came out of custody for a sentence, a lengthy period  
22 of time ago, turned his life around appreciably,  
23 worked for himself with a business venture.

24 He had a number of employees, worked  
25 for Motorola, and was able to, in the teens, amass

1 income that went anywhere between a hundred thousand  
2 and two hundred-plus thousand dollars a year.

3 He was able to provide for his family  
4 a lifestyle that allowed him to live comfortably in  
5 a nice home, with nice vehicles, and enabled them to  
6 have the physical things that many families don't  
7 have.

8 And it shows that Mr. Egerson was  
9 able to move beyond criminal conduct, become a  
10 productive member of the community, generate  
11 appreciable income, and provide for a family.

12 Ms. Egerson's testimony in the direct  
13 testimony, the State's part of the case, showed a  
14 duality that she has, her statements today to the  
15 Court at sentencing, all of the positives and then  
16 mention the negatives that came with it.

17 I think that it's typical of all  
18 relationships to see that. But I think in this  
19 case, we saw the extremes. The good times were  
20 really good times. There some times Ms. Egerson  
21 categorized as a roller coaster. It wasn't just a  
22 little bump up. It was a very, very, very good bump  
23 up, a very, very good time.

24 The bad times were to her -- She's  
25 talked to the court today -- just as bad. She's

1 indicated that Mr. Egerson's personality could be  
2 very different from the one day to the next.

3 And I don't dispute that there is an  
4 emotional cost, that there was emotional abuse that  
5 occurred, but I ask the Court to look into the  
6 nature of the relationship that the two had  
7 together.

8 I did direct -- I did elicit in  
9 cross-examination the confirmation that the parties,  
10 while the domestic violence abuse injunction was in  
11 effect, lived together; that Ms. Egerson spent time  
12 with Mr. Egerson; that there were visits to his  
13 house. There were phone calls.

14 I understand the nature of an abusive  
15 relationship. I understand that the -- what they  
16 call an abused party, or victim, or whatever we use  
17 to define that, may very well come back into that  
18 relationship and engage in contact where it's  
19 natural contact.

20 But it also winds wind up -- And I  
21 want to be careful how I use the word "manipulates."  
22 I don't mean an intentional manipulation by  
23 Ms. Egerson, but it may create emotions in  
24 Mr. Egerson to have further and additional contact.

25 He know there's an injunction out

1           there. He knows that he's not supposed to have  
2           contact. He knows that he puts himself in peril.

3                       He also knows that Ms. Egerson has  
4           every right in the world to contact him, the  
5           injunction doesn't run in both directions. And he  
6           doesn't think that that injunction is even valid,  
7           and he doesn't. And he violates it, and he has  
8           contact with her.

9                       I would just indicate to the Court  
10          that I think we have to look differently at this.  
11          If Mr. Egerson was the initiator of all contacts, if  
12          he continued to foist himself on Ms. Egerson,  
13          continued there with the contact, I think that it  
14          would be a different situation than the contact that  
15          occurred here.

16                      I think that it flowed both ways. I  
17          don't question that Mr. Egerson had contact with  
18          Ms. Egerson. I don't question that he initiated  
19          some of the contact.

20                      But I also know from the questioning  
21          her, the testimony of Ms. Egerson at the trial, that  
22          a significant amount of the contact was initiated by  
23          her.

24                      And we think that it's a fact that  
25          the Court should look at and should consider in the

1 determination of sentencing.

2 I know that the Court has the  
3 presentence report from the matters before Judge  
4 Flanagan. It has the State's generated report. It  
5 has a private presentence.

6 I'm assuming the Court read it, and  
7 I'm assuming the Court would accept the information,  
8 and it's being valid. But Mr. Egerson did indicate  
9 to me that the federal charge that was set forth in  
10 the presentence investigation prepared by the State  
11 was not correct.

12 It was a money laundering charge.  
13 Mr. Egerson indicated that the actual charge was  
14 unauthorized use or the access to monies. It was a  
15 credit card fraud.

16 I mention that because the money  
17 laundering connotation can be misconstrued if I let  
18 the Court -- if I let that stand, that that was what  
19 the offense was; particularly, since one of the  
20 things I've commented on is the significant income  
21 that Mr. Egerson has generated and has money coming  
22 from somewhere and retained a portion of it as he  
23 generated his income.

24 So I just need to indicate to the  
25 Court what that would have been, basically, an

1 identity fraud case.

2 THE COURT: Now -- Well, two things.  
3 Is that the only, that information about the federal  
4 charge, the only inaccurate thing in the prior  
5 presentence report?

6 MR. ROSENTHAL: Let me ask  
7 Mr. Egerson that.

8 THE COURT: Sure.

9 (Whereupon, Mr. Rosenthal confers  
10 privately with his client.)

11 MR. ROSENTHAL: Mr. Egerson indicated  
12 that the report provided to him, he was not eligible  
13 for PRP and --

14 THE COURT: Okay. That's not really  
15 a factual background, factual information. But as  
16 to the factual information, if I were to either  
17 ignore the federal reference, the reference to the  
18 federal charge altogether, or worse case from you  
19 client's perspective, consider it only in the vein  
20 as you've just described it, is the rest of the  
21 factual information in here accurate, in terms of  
22 your background and all of that?

23 THE DEFENDANT: I would -- I would  
24 have to look at it again, Your Honor. I  
25 can't -- You know I just walked in here. I mean,

1           they just picked up and --

2                       THE COURT: I, you know, I frankly  
3           don't feel the need to consider what's in the prior  
4           presentence report in terms of making a  
5           determination of what to do in this case other than  
6           his prior criminal record, taking out for purposes  
7           of this hearing, any reference to the federal  
8           laundering.

9                       And, quite frankly, to be honest with  
10          you, I looked at the chart of his convictions, and  
11          the chart of his convictions are only State  
12          convictions. It doesn't mention the federal charge.

13                      There is a sentence or two at the end  
14          of the chart, outside of the chart, that talks about  
15          the federal thing. But, frankly, I didn't even  
16          consider that in my -- the only --

17                      Because everybody, the last time we  
18          were here, and Mr. Heitman referenced this  
19          presentence report, and Mr. Egerson made some  
20          comment about it not being accurate, so for purposes  
21          of today, I only really have looked at his prior  
22          record, and I'm just prepared to go forward on that  
23          basis.

24                      For example, I know there's a COMPAS  
25          evaluation in here. I didn't even look at that.



1 Because, frankly, I think if you were going to do, I  
2 think you would almost have to be re-tested for the  
3 COMPAS evaluation. And so I didn't consider that,  
4 and I'm not considering that unless people want me  
5 to.

6 MR. ROSENTHAL: That's fine, Judge.

7 THE COURT: All right. So other than  
8 that, let's be more specific then, Mr. Egerson.  
9 Your criminal record which is listed in the chart  
10 for me list:

11 A 1987 battery, reckless use of a  
12 weapon;

13 '87, manufacture and delivery of  
14 cocaine;

15 '89, fleeing an officer; '89  
16 possession of controlled substance and resisting an  
17 officer;

18 From '90, disorderly conduct;  
19 '91, two counts of forgery;  
20 '93, criminal damage to property;  
21 '94, resisting an officer;  
22 2000, theft and criminal damage to  
23 property;  
24 2004, resisting or obstructing an  
25 officer;

1                   2006, disorderly conduct;  
2                   2011, disorderly conduct, domestic  
3                   abuse related;

4                   2011, bail jumping, misdemeanor,  
5                   domestic abuse related; and then

6                   The six counts that are not listed on  
7                   this chart but that were resolved in front of Judge  
8                   Flanagan that involved one count of violating  
9                   domestic abuse injunction, domestic abuse related;  
10                  one count of intentionally violating a no-contact  
11                  order after a misdemeanor conviction; one felony  
12                  bail jumping, domestic abuse related; one  
13                  intimidating a witness, domestic abuse related; and  
14                  one bail jumping; another bail jumping, felony bail  
15                  jumping, domestic abuse related; and then, lastly, a  
16                  domestic abuse -- violating a domestic abuse order.  
17                  Those are the convictions from Judge Flanagan in  
18                  2014.

19                  So, that's the criminal record, your  
20                  criminal record, that I'm considering here unless  
21                  you tell me something in that list I just read off  
22                  is inaccurate.

23                  MR. HEITMAN: That would be accurate,  
24                  Your Honor.

25                  THE COURT: All right. Thank you.

1 Go ahead, Mr. Rosenthal.

2 MR. ROSENTHAL: Thank you, Your  
3 Honor. As indicated to the Court previously,  
4 Mr. Egerson involved himself in a lengthy period of  
5 employment. He has not been under-employed. He has  
6 not been unemployed.

7 He had his own business Info-Tech  
8 Solutions. That was the reference I made to  
9 generating income routinely from a hundred thousand  
10 to a two hundred-plus thousand level.

11 He also worked for Motorola. That  
12 was his last employer prior to being taken into  
13 custody. He was a tech recruiter for them. He  
14 generated appreciable income, just under the one  
15 hundred thousand dollar level.

16 I would indicate to the Court that in  
17 going over the record, a substantial portion of that  
18 record is rather dated. There is the significant  
19 convictions that he's currently incarcerated on, but  
20 then we have a clear gap between a number of the  
21 other convictions.

22 Mr. Egerson has availed himself of  
23 programing at New Lisbon. At New Lisbon, he has  
24 been involved in DV classes there. He's previously  
25 availed himself from classes form the ALMA Center.

1 He's participated in the batterer's  
2 intervention program, participated in the fatherhood  
3 initiative program. He also served as a facilitator  
4 at the ALMA Center, working with other individuals  
5 who were involved in the programing.

6 I think those are to his credit. I  
7 think that the Court can look at the nature of the  
8 convictions and say that may be good stuff, but it  
9 wasn't directly related to the programming that he  
10 did; or worse, that he took to heart a portion of  
11 the programming, but didn't fully invest himself in  
12 the programming.

13 As to the nature of the contacts, and  
14 there were appreciable contacts between the parties,  
15 a number of them revolved around the parties'  
16 children.

17 Mr. Egerson has been, while confined,  
18 unable to have communication with them, has sought  
19 to have communication with them, has sought  
20 information about what is going on in their lives,  
21 and I can understand that that violates the VODAI  
22 order that was imposed, the no-contact order from  
23 that.

24 I just think it's significant that  
25 the great bulk of the contacts between the parties

1       were not physical abuse, and I don't believe  
2       emotional abuse.

3               I think the great bulk of the  
4       contacts were all around sharing of information and  
5       the sharing of the children. I do think there were  
6       contacts that as the jury found on some of the  
7       letters, they found some of the letter to be  
8       indicative of domestic violence because of what they  
9       perceive to be threats from some of the letters.

10              And whether those letters were  
11       generated by Mr. Egerson, whether those letters were  
12       generated by a cell mate, whether he had any input  
13       in his cell mate sending them out, the jury has  
14       found that he's culpable for those, and we stand in  
15       front of the Court accepting that.

16              Mr. Egerson has lost his oldest son  
17       to a heart attack while, actually since the trial in  
18       this case. Mr. Egerson's mother is appreciably ill  
19       health. She suffers from cancer at this point.

20              And one of the things that  
21       Mr. Egerson is very concerned with is that his hope  
22       is that he is able to be released from custody  
23       before he loses his mother and before his children  
24       age so significantly that it will be difficult for  
25       him to establish a relationship with them.

1 I know that the district attorney has  
2 asked that there be some restriction on  
3 communication between Mr. Egerson and his former  
4 wife, Ms. Egerson, by the Court ordering no-contact  
5 while he's in his initial confinement.

6 And I expect that to occur, and  
7 Mr. Egerson expects that to occur. What Mr. Egerson  
8 hopes is that there is a method by which there could  
9 be communication and contact between himself and his  
10 children.

11 I think it would be to the benefit of  
12 Mr. Egerson and to the benefit of the children. And  
13 there could be the ability to have third-party  
14 contact with the children which could be supervised  
15 and monitored by anyone that Ms. Egerson would want  
16 to do that.

17 I don't think that the children  
18 are -- The children are not viewed as the victims in  
19 these offenses. The children, I think, suffer from  
20 the nature of the relationship between the Egersons,  
21 between contact on the part of Mr. Egerson, but it  
22 wasn't directed at them.

23 I believe that that could be  
24 rehabilitated, the relationship between the children  
25 and Mr. Egerson could be rehabilitated to allow that

1 contact with them.

2 I think that's something significant  
3 that the Court could see being done, whether it be  
4 during his confinement, which I hope we would be  
5 able to do, or at least during the period of his  
6 extended supervision.

7 Mr. Egerson provided me today with a  
8 form from the Department of Corrections which  
9 indicates the physical problems that he has. The  
10 most significant of which is chronic kidney disease,  
11 and he suffers from hypocalcemia. I think that he  
12 presents himself before the Court as not being in  
13 the best of health.

14 I would be asking the Court in  
15 crafting a sentence to do the following:

16 I would ask the Court to view that  
17 this is not crimes of physical violence. These are  
18 crimes that while committed by Mr. Egerson didn't  
19 occur in a vacuum from no contact between Mr. and  
20 Mrs. Egerson;

21 That Mr. Egerson is serving a lengthy  
22 sentence now that won't expire until I believe it to  
23 be November, but Mr. Heitman checked, and it looks  
24 like it may expire in May of 2019.

25 I believe that in crafting a sentence

1       that will make it concurrent to the existing  
2       sentence is not inappropriate.

3               I believe, and I've told Mr. Egerson,  
4       that I would expect that the Court would extend  
5       Mr. Egerson's initial confinement in crafting a  
6       sentence that was concurrent as to what he's serving  
7       at that time.

8               I would ask that the Court follow the  
9       recommendation of Mr. Heitman as to the VODAI counts  
10      being concurrent to his existing sentence.

11              But I would ask the Court not to do  
12      each of the VODAI counts consecutive. I would ask  
13      the Court to consider that the jury did not find a  
14      domestic abuse in two of the contacts, and I would  
15      therefore ask that the Court make the other contacts  
16      while consecutive as to each other, concurrent to  
17      the two VODAI's that are not DV related, that were,  
18      in effect, non-threatening communications between  
19      the Egersons.

20              As to the stalking, it is my belief  
21      that the events set forth in the stalking  
22      appreciably predate the events of the VODAI's. I do  
23      think the stalking represents a bit of piling on in  
24      this instance.

25              The district attorney issued it, and



1 the jury determined that Mr. Egerson was guilty of  
2 it, but we're talking conduct that predates the  
3 VODAI's. We're talking about conduct that predates  
4 his, for the most part, predates his last series of  
5 offenses that he's serving a sentence on.

6 I would ask that the Court not make  
7 the sentence that it imposes in the VODAI -- I'm  
8 sorry -- in the stalking consecutive to the existing  
9 sentence, but make it concurrent.

10 In making it concurrent, I would ask  
11 the Court to consider the length of time that has  
12 been asked by the district attorney four years and  
13 make that sentence a four-year concurrent sentence  
14 which would add on a period of additional time to  
15 the sentence, but I don't believe that this calls  
16 for an additional four years of confinement beyond  
17 the sentence that he's currently serving.

18 So I'm asking the Court to craft a  
19 sentence between the VODAI's and the stalking that  
20 would add to the initial confinement period that  
21 Mr. Egerson is currently serving an additional  
22 twelve-to-eighteen months.

23 I believe that that's sufficient  
24 punishment for the nature of the conduct. I think  
25 Mr. Egerson's rehabilitation is or isn't going to

1 occur with the length of time being added on to his  
2 current sentence, and I don't think that the  
3 additional time is going to contribute to the  
4 rehabilitative aspect of the sentence.

5 As to a deterrent, Mr. Egerson stands  
6 before the Court now being sentenced on violation of  
7 a court order similar in nature to violations that  
8 he has had previously.

9 I think Mr. Egerson understands the  
10 significant risk that he places himself in, and the  
11 significant penalty that he will receive, should he  
12 involve himself in like or similar conduct.

13 So I don't believe in sentencing  
14 Mr. Egerson, it's necessary to sentence him to any  
15 longer period of initial confinement than I'm  
16 recommending.

17 And as in regards to the community,  
18 others in the community who do similar acts, it  
19 still a lengthy sentence. It's still a sentence  
20 that I think has a deterrent effect so I don't think  
21 it's necessary for the Court to impose anything  
22 longer than that.

23 And as to the protection of  
24 Ms. Egerson, there's an initial confinement period  
25 that will have to be served on the one sentence.

1       There's an initial confinement period the Judge,  
2       you, will be imposing on this sentence.

3               And then as conditions of extended  
4       supervision that exist in the old sentence and in  
5       this sentence, the Court can restrict any contact  
6       Mr. Egerson has. I think that serves as a  
7       protection that Ms. Egerson has under any sentencing  
8       the Judge has.

9               So I'm asking you to follow my  
10       recommendation of crafting a sentence that would not  
11       add more than twelve-to-eighteen months of initial  
12       confinement.

13              THE COURT: Mr. Egerson, is there  
14       anything you want to say before I sentence you? And  
15       I do have, as I said before, I have read your  
16       letter.

17              THE DEFENDANT: Thank you, Your  
18       Honor. Your Honor, I want to, first and foremost,  
19       thank the Court for taking the opportunity to go  
20       through this jury trial.

21              I want to apologize. I learned  
22       twenty years ago from a senior judge by the name of  
23       Thomas Curran, acceptance of responsibility is key  
24       in his eyes. He passed away some years ago. He's a  
25       federal judge I --

1 THE COURT: I know.

2 THE DEFENDANT: Yeah. I accept  
3 responsibility for my actions, Your Honor. I  
4 totally do.

5 Throughout this ordeal, my main  
6 purpose was to challenge what was in the restraining  
7 order, the temporary restraining order. This  
8 temporary restraining order was issued against me  
9 while I was incarcerated at the House of Correction.

10 During that time while I was in the  
11 House of Correction, Ms. Egerson had access. She  
12 was the only one that had access to my home. She  
13 had access to my keys. She had access to my car,  
14 and she drove out to the House of Correction and  
15 went into my car, went into my home and, you know,  
16 it was just taking possessions out of my home.

17 And all I wanted to do was just to  
18 maintain my home and maintain contact with my kids.  
19 During that time, Your Honor, I -- I just wanted to  
20 be a father to my kids.

21 And if I'm guilty of that, I should  
22 be punished for trying to be a father. I don't have  
23 any intentions of hurting Alexandra. Alexandra, I  
24 love Alexandra. She's a great mother. She's a  
25 great person.

1 But my goal is fatherhood. And being  
2 a model to my children is something that I want  
3 always to instill into those children because we  
4 planned those children, two of them at least. The  
5 other one was unexpected, but the first two we  
6 planned.

7 And, more importantly, Your Honor, I  
8 have made some major changes in my life. Alexandra  
9 used to come pick me up from the batterer's  
10 intervention program.

11 The first case that I called for the  
12 bail jumping is because she called police -- the  
13 finances was bad. I moved back home. She called  
14 the police on me because she found out I had hired a  
15 private investigator, and I was arrested in the  
16 home. There's no doubt about it. I was charged  
17 with bail jumping.

18 But it wasn't because I came by the  
19 house, being aggressive. All of this stems from  
20 just, it goes one way, and then when she gets mad,  
21 it goes another way.

22 And maybe I should have just stayed  
23 away but my kids would always -- I would come home.  
24 I worked in Chicago, catch the Hiawatha. And I see  
25 my kids running to me, and Daddy's home.

1                   And then it brings so much joy to me  
2                   knowing that my kids love me, man, and cherish me  
3                   because -- Not because of my material or my  
4                   financial wealth, because of who I am as a father,  
5                   and my character.

6                   That was the most important thing,  
7                   Your Honor, is making sure that my kids was having a  
8                   better environment, a better livelihood than I had.

9                   Your Honor, I went from the ghetto  
10                  streets of Milwaukee, selling drugs and committing  
11                  credit card fraud, to the executive suites of  
12                  Fortune 1000 companies such as ATT, Career Builders,  
13                  and Motorola. And I made some changes.

14                  And those companies wouldn't hire me,  
15                  not just based on me lying to them, people hired me  
16                  based on my experience, based on my ability to come  
17                  in there and do a job, based on me being able to  
18                  come and change culture, be able to teach hiring  
19                  managers about unbiased hiring, be able to teach  
20                  resource and development departments about culture  
21                  and how to diversify.

22                  That's a very important thing, Your  
23                  Honor, is to make change. And I would like an  
24                  interstate compact to Georgia. I have a daughter  
25                  that was born.

1                   And I understand that maybe she can  
2                   be upset about my other life that was dated from  
3                   her, my home that I have in Georgia, and the new  
4                   lady that's in my life. That can be acceptable.

5                   But my kids, Your Honor, I can never  
6                   forgot them. Because the last time I seen them was  
7                   August 14. They begged Alex to spend the night by  
8                   my house. They begged her. They said they wanted  
9                   to stay with daddy.

10                  And Alex came by, and the last day I  
11                  seen my kids was that day. They spent the night  
12                  with me. We had a great time, and I haven't seen  
13                  them since.

14                  So I don't understand what happened  
15                  in between. She has sent me I Care packages while I  
16                  was in the county jail. She sent me an I Care  
17                  package on November, and you have that receipt. It  
18                  went in, in testimony.

19                  And she wrote me, and all I want to  
20                  do is just talk to my kids and tell them I love  
21                  them, Your Honor. I miss them.

22                  A.J., Michala, are -- were the  
23                  heartbeat of my soul. This is not about stalking  
24                  her. This is not about trying to find out about her  
25                  lifestyle, or what's going on with her. I just want

1 to be a father to my children, and that's very  
2 important to me.

3 And I've seen prison, it's taken  
4 away, men away from their families, and I don't want  
5 to be taken away from my kids based on my  
6 incarceration.

7 I still want them to know that daddy  
8 loves them, and daddy still cares. And daddy is  
9 just away right now. And I don't have to speak to  
10 her. We do have a third-party contact, and that's a  
11 person that's Melanie Melsheimer, who is Alexandra's  
12 cousin.

13 I've tried her hundreds of times to  
14 call Mel to speak to my kids. There has never been  
15 a contact made. Hundreds of times. There is a  
16 third-party contact, and Alexandra has not let me  
17 speak to my kids, or Melanie Melsheimer has let me  
18 speak herself to my kids.

19 So, Your Honor, in closing, I  
20 understand that I have broken the law. I understand  
21 that when you break the law, you must be punished.  
22 I understand that there's consequences behind that.

23 I am not this person that has any  
24 disregard for the law. I just have been trying to  
25 get to the truth and show that the restraining order



1 has been misleading and false information.

2 And, more importantly, Alexandra has  
3 been coming by my house multiple times, like my  
4 cousin and Mr. Robinson has said.

5 My auntie is here. My mother is  
6 here. They're old. My auntie is eight-four years  
7 old. My mother is eighty-one, with cancer.

8 Right now, my release date is 2019.  
9 I have an interstate compact. I have a home. I'm  
10 relocating to another area of the country. And all  
11 I want to do is still maintain my fatherhood and be  
12 a motivating force in my children's life.

13 But in closing, Your Honor, the only  
14 thing I want to do, Your Honor, is I want to get out  
15 and, you know, get my mother a Ellie and Farmer's  
16 apple pie, pick her up some fried catfish. I want  
17 to play dominos with my aunties, and I just want to  
18 go home, Your Honor, and listen to some Tom Petty  
19 and, you know, take a hot bath.

20 This has been -- I haven't been  
21 convicted of a felony in twenty years. I have eight  
22 felony convictions now. Eight felony convictions  
23 since I've been incarcerated.

24 All of these crimes happened since  
25 I've been incarcerated. All of these charges has

1       been since I've been incarcerated. I haven't --  
2       These charges are not me being on the streets.  
3       These charges is me being incarcerated, Your Honor.

4               And I apologize to Alexandra if  
5       there's any fear in her. I don't mean to do her no  
6       harm. I plan on moving on with my life. I plan on  
7       re-marrying and taking care of my daughter and  
8       taking care of my children.

9               And that's the gist of what's been  
10      going on is me trying to be a father in those  
11      children's lives. And if that's a problem, then I  
12      don't know what else to say, and I don't know what  
13      else to do.

14              But I apologize to the Court, I  
15      apologize to Mr. Heitman, and I apologize to any  
16      other person that has been -- needs me to apologize  
17      to at this time.

18              THE COURT: So you started out saying  
19      you talked about taking responsibility for your  
20      actions and your reference to Judge Curran, so I  
21      have got to ask you, the letters, who wrote those?

22              THE DEFENDANT: I wrote -- I wrote  
23      the first letter, Your Honor, and I had some  
24      influence on the other letters as well too.

25              THE COURT: What does that mean, "you

1           had some influence"?

2                   THE DEFENDANT:  When the letters  
3           would come in, when she write back, my cell partner  
4           told me that he would write her.  And I said I don't  
5           care what you write, just make sure you don't put  
6           anything in there threatening.

7                   THE COURT:  That's your idea of  
8           taking responsibility?

9                   THE DEFENDANT:  Well, my idea of  
10          taking responsibility is that I should never have  
11          had any contact.  I should never have had any  
12          influence or any writing at all to her.

13                   Once these -- Once the first letter  
14          came --

15                   THE COURT:  I'm talking about the  
16          second letters.  The ones you claim your -- The ones  
17          you got on the stand, under oath, and told the jury  
18          that you had nothing to do with writing those  
19          letters, that they were done just totally by your  
20          cell mate without any input from you.

21                   And now you're telling me that, well,  
22          maybe you had a little influence on it.  This is  
23          your idea of taking responsibility; is that what  
24          you're telling me?

25                   THE DEFENDANT:  My idea of taking

1 responsibility is that I should have never had him  
2 write those letters. I should have -- I should  
3 never let him write those letters.

4 THE COURT: Well, which is it: You  
5 should never have let him write the letters, or you  
6 should never have had him write the letters?

7 It's two different things. One is,  
8 you know, somebody says, well, I'm going to write a  
9 letter, and you say, okay, just don't put anything  
10 threatening in there.

11 The other is: Hey, I want you to  
12 write a letter to Alexandra because I can't. So  
13 which is it?

14 THE DEFENDANT: It's the -- It's the  
15 second part that I should never have let him write  
16 those letters, Your Honor.

17 THE COURT: That's your idea -- Now  
18 I'm back to my first question. That's your idea of  
19 taking responsibility. You still want this Court to  
20 believe that you didn't write those letters?

21 THE DEFENDANT: I should have never  
22 had any influence on him writing those letters, the  
23 first one, the first -- the first one, Your Honor,  
24 the first one, not the second one.

25 THE COURT: Mr. Egerson, you are a

1 master manipulator. You are the classic domestic  
2 violence perpetrator. Textbooks describe people  
3 just like you.

4 You have done nothing for the last,  
5 however long you have know Alexandra, but manipulate  
6 her and try to control her, and the way she runs her  
7 life.

8 The fact that you could pick up all  
9 of these charges and convictions while you're in  
10 custody, you put that out there like that's a good  
11 thing, like that's a mitigating thing.

12 To me, that's one of the more  
13 aggravating things about this. I shudder to think  
14 what would have happened if you were out on the  
15 street, and she was trying to break away from you.

16 I have to say that I have not seen in  
17 forty years of experience as a lawyer and  
18 twenty-three of that as a judge, I have not seen or  
19 heard a victim as eloquent and as articulate in  
20 being able to explain her actions, and why she did  
21 the things she did, as Alexandra was in this  
22 courtroom when she testified in at trial and when  
23 she spoke here today. That was amazing to me that  
24 she would have the strength to do that.

25 You, on the other hand, have done

1 nothing but for years trying to control her, whether  
2 it was while you were on the street or from jail or  
3 prison.

4 You were still doing it when you came  
5 here for trial. You made a phone call to try and  
6 get her not to come to court.

7 And you will sit there and try to  
8 tell me how you want to take responsibility for  
9 things? No, Mr. Egerson. You have exercised a  
10 pattern, or engaged in a pattern, over a number of  
11 years of trying to control her, and you want to tell  
12 me that all you care about is your children.

13 I don't think so. If you cared about  
14 your children, the well-being of your children,  
15 knowing that you're in custody, the person who's  
16 taking care of your children that you claim you care  
17 so much about is Alexandra, and you did nothing but  
18 make her life hell on Earth.

19 And I will concede, as she did, that  
20 there were some really good times, but that's all  
21 part of the cycle of manipulation that people like  
22 you engage in when they seek to control someone in a  
23 relationship.

24 Sure, they're very generous, and  
25 magnanimous, and all of that to whatever level they

1       can. You know, your success and life on the street  
2       is a two-edged sword, Mr. Egerson. It's quite  
3       impressive what you've done.

4               But you had the ability, clearly had  
5       the ability, and yet you threw it all away, in terms  
6       of the way you treated Alexandra. I mean, it's  
7       just, you know, again, I don't think I've seen  
8       anybody quite like you in all the years I've been on  
9       the bench in terms of trying to control somebody  
10      else through manipulation.

11             I don't for a minute believe you  
12      didn't write those letters. I think you have a lot  
13      more involvement than just not stopping the person  
14      from writing them.

15             And, yes, there were no physical  
16      acts, as your lawyer pointed out. And Mr. Rosenthal  
17      has done as good a job for you as I think anybody  
18      could have done in terms of arguing for a sentence  
19      on your behalf.

20             I look at the three things the Court  
21      has to consider: Your background, you have  
22      twenty-eight convictions. If I went out on the  
23      street right now and stopped ten people and said:  
24      Hey, I've got somebody in front of me this afternoon  
25      on six charges.

1 He's got twenty-two, twenty-two prior  
2 convictions -- And that's not even counting what  
3 happened in federal court, I truly am not counting  
4 them -- they've got twenty-two state convictions  
5 prior to today, what do you think I should do with  
6 them?

7 And I would be amazed if not every  
8 single one of ten said what are you talking about,  
9 Judge? What's the maximum?

10 I mean, how many times do we have to,  
11 we, as a community, have to keep letting this back  
12 in the community to prey on somebody, in this case  
13 Alexandra, how many times?

14 You say you aren't going to hurt her.  
15 You are hurting her mentally and emotionally, and  
16 you've been doing that for years.

17 And your statement about learning  
18 from Judge Curran about taking responsibility, I  
19 don't think you've learned that, Mr. Egerson.

20 I don't really think you've learned  
21 to take responsible because if you did, you wouldn't  
22 have been treating her this way for all these years.  
23 I mean, it's just -- I don't know.

24 So twenty-eight, now twenty-eight  
25 convictions, I don't know that I've seen somebody



1 with more than twenty-eight convictions in my time  
2 on the bench. If I have, I can count them on one  
3 hand.

4 I think that these children  
5 deserve -- that you claim you care so much  
6 about -- if you truly cared about them so much, you  
7 would not be asking me to do what you're asking.

8 You would acknowledge the fact that  
9 what they need is a stable house where their  
10 caretaker mother, a person who they look to for love  
11 and support and concern is not so stressed out that  
12 she can't function, is not so stressed out that she  
13 can't meet their emotional needs.

14 And yet she came in here today and  
15 said that -- like all mothers and good fathers do,  
16 they put their kids first -- and so she's despite  
17 the fact that she has PTSD and is struggling with  
18 what you've done to her, and the hyper-vigilance  
19 she's had to live with for all of this time, she has  
20 put her kids first.

21 What that means is she is putting  
22 herself second -- Well, actually fourth, after the  
23 three kids -- at great harm to herself.

24 And I don't know how long she can  
25 maintain that, especially in the face of the

1 possibility or the fear that you will start  
2 contacting her again and causing through your  
3 contact with them more harm to her.

4 So I think absolutely I not only have  
5 the right and the authority to restrict your contact  
6 with them, I have the moral and legal obligation to  
7 do that to give Ms. Egerson the peace that she so  
8 strongly deserves, and the ability to rest her head  
9 easily at night and know that she only has to focus  
10 on taking care of herself and her children and not  
11 to worry about contact from you.

12 The seriousness of these offenses,  
13 they are deceptively serious. And what I mean by  
14 that is you're attorney is quite right, there aren't  
15 any physical beatings in these charges. There's no  
16 physical harm. But how could there be, you were in  
17 custody.

18 But the psychic damage was, in the  
19 words of Ms. Egerson, fair worse than the physical  
20 injuries, and that is absolutely the case.

21 So the fact that there were no  
22 physical injuries here is really, as I said,  
23 deceptively serious and dangerous, and nobody should  
24 have to put up with that.

25 The message to the community, what's

1 most egregious about all of this in terms of the  
2 message to the community and the message to you, is  
3 that all of these, with the exception of the  
4 stalking offense, involved you violating a court  
5 order, and not a court order you didn't understand.

6 This is not the first time you were  
7 charged with and convicted of violating a domestic  
8 abuse injunction. You knew full well that even if  
9 she was standing at your door, knocking at the door  
10 every time, asking to see you, begging to see you,  
11 even if that were the case, you knew full well that  
12 you were not supposed to be doing that.

13 And to the extent that she was doing  
14 that, that was just another example of the  
15 manipulation that you carried out on her to make her  
16 feel like she had to do that in a desperate hope, I  
17 guess, that things would only get better and stay  
18 better. But, of course, they didn't.

19 And I -- Not one minute for the  
20 sentence I'm going to impose, is connected to the  
21 comments of the two people who spoke on your behalf.

22 But I can't help but noticing that  
23 their comments were really pretty victim blaming in  
24 terms of how these things happened, and she was  
25 always over there, and you know, why would she want

1 to deny her kids the ability of the kids to see  
2 their father.

3 And I get that. I'm not criticizing  
4 them. You know, they're just sticking up for their  
5 friend or their cousin. I understand that on that  
6 level, but I think they need to understand.

7 What would be most helpful,  
8 Mr. Egerson, if you had a conversation with them and  
9 said no, this is not on Alexandra, not one bit of  
10 this is on her. This is all on me, Terrance  
11 Egerson.

12 That's what I didn't hear, and that's  
13 why I don't think there has truly been an acceptance  
14 of responsibility as you framed it when you first  
15 started speaking.

16 For all of those reasons, I'm going  
17 to impose the following sentences:

18 On Counts One and Three, I am  
19 imposing sentences of one year of initial  
20 confinement and one year of extended supervision.

21 Those sentences are consecutive to  
22 each other, but concurrent with the sentence you are  
23 currently serving.

24 On Counts Four, Five, and Six, I am  
25 imposing sentences of four years, two years of

1 initial confinement and two years of extended  
2 supervision.

3 Each count to run consecutive to each  
4 other and Counts One and Three, but also concurrent  
5 with the time on the sentence that you are currently  
6 serving.

7 On Count Two, the stalking charge,  
8 I'm going to impose sentences of four years of  
9 initial confinement and three year of extended  
10 supervision.

11 That sentence to run consecutive to  
12 all other sentences.

13 Is there credit here on the first, on  
14 Counts One, Four, Five and Six?

15 MR. ROSENTHAL: 415 days.

16 THE COURT: That's from March 9 --

17 MR. ROSENTHAL: March 9, 2015.

18 THE COURT: Four hundred and what?

19 MR. ROSENTHAL: Fifteen.

20 THE COURT: Thank you. 415 days  
21 credit. Based on the nature of these offenses,  
22 especially the stalking offense, I'm going to find  
23 you're not eligible for the Challenge Incarceration  
24 Program or the Substance Abuse Program.

25 You have been convicted of felonies;

1           therefore, it's illegal for you to possess a firearm  
2           under any circumstances.

3                       I am going to, given the length of  
4           these sentences, impose the domestic violence  
5           surcharges on Counts Two, Four, Five, and Six, but  
6           I'm going to waive the payment of those given the  
7           length of the sentences.

8                       I'm also waiving payment of any costs  
9           and surcharges in these cases, again, because of the  
10          length of the sentences.

11                      You are ordered to provide a DNA  
12          sample which I assume you've already done.

13                      Anything else?

14                      Oh, I'm going to order that there is  
15          to be no contact with Ms. Egerson or her three  
16          children during the pendency of these sentences.

17                      Anything else, Mr. Heitman?

18                      MR. HEITMAN: No, Judge. Thank you.

19                      THE COURT: Mr. Rosenthal?

20                      MR. ROSENTHAL: No, Your Honor.


21                      THE COURT: That's all. Good luck,  
22          sir.

23                      (Whereupon, the proceedings were  
24          concluded at 4:56 o'clock in the afternoon.)  
25

1  
2  
3 STATE OF WISCONSIN)  
4 ) ss.  
MILWAUKEE COUNTY )

5  
6 I, William J. Carpenter, do hereby  
7 certify that I am a court reporter for the circuit  
8 court of Milwaukee County, that as such I recorded  
9 the foregoing proceedings, later transcribed by me,  
10 and that it is true and correct to the best of my  
11 abilities.

12  
13 Dated this 7th day of June, 2016, at  
14 Milwaukee, Wisconsin.

15  
16   
17 William J. Carpenter  
Court Reporter